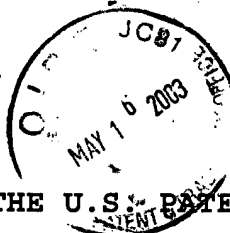


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IN THE U.S. PATENT AND TRADEMARK OFFICE

Inventor                      Bernd EIKMANNS et al  
Patent App.                09/529,043 (US Nat'l phase of PCT/EP98/06210)  
Filed                        3 April 2000                      Conf. No. 6651  
For                          NUCLEIC ACID ENCODING PYRUVATE CARBOXYLASE FROM  
                                 CORYNEFORM GLUTAMICUM  
  
Art Unit                    1652                              Examiner    Steadman, D  
  
Hon. Commissioner of Patents  
Box 1450  
Alexandria, VA 22313-1450

COMMUNICATION

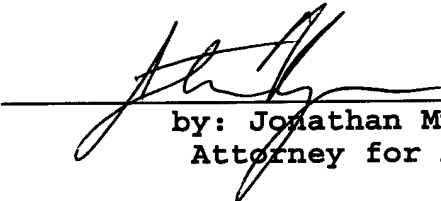
This communication is to confirm a telephone conversation between Examiner Steadman and the undersigned. The telephone conversation took place on 14 May 2003. Examiner Steadman indicated that there would be no need for EIKMANNS et al to file an amendment in the instant patent application which would include at least one of the claims to the polypeptide covered in U.S. Patent 6,403,351 to be sure that the polypeptide would be included in the same interference as the polynucleotide covered in U.S. Patent 6,171,833. Examiner Steadman indicated that one interference could support counts to both the new polynucleotide and the new polypeptide expressed by the polynucleotide.

Atty's 21437

Pat. App. 09/529,043

Thus there would be no need for EIKMANNS et al to file an amendment in the present application adding claims to the polypeptides claimed in U.S. Patent 6,403,351.

Respectfully submitted,  
The Firm of Karl F. Ross P.C.



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by: Jonathan Myers, 26,963  
Attorney for Applicant

15 May 2003  
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